

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The non-Final Office Action of July 15, 2003 has been received and contents carefully reviewed.

Claims 7-17 are currently pending. Claims 1-6 have been cancelled, claim 7 has been amended, and claim 17 has been newly added.

The Examiner objected to claim 7 because the claimed body does not refer back to the limitation recited in the preamble. Claim 7 was rejected under 35 USC § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 7, 9-11, and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,851,303 to Hwang et al. ("Hwang"). Claims 8 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hwang in view of U.S. Patent No. 4,462,861 to McClean ("McClean"). Claim 12 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Hwang in view of U.S. Patent No. 5,698,503 to Ward ("Ward"). Claim 13 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Hwang in view of U.S. Patent No. 4,220,706 to Spak ("Spak"). Claim 14 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Hwang in view of Korean Patent Application KR 2001077228 to Kim et al. ("Kim").

Claim 7 has been amended, so the Applicant believes that the objection to claim 7 and the rejection under 35 U.S.C. § 112, second paragraph of claim 7 is moot.

Claim 7 recites a combination of elements including, for example, "an additive activating an etching action of the hydrogen peroxide". Hwang fails to teach or disclose at least this element of claim 7. The Examiner identifies nitric acid as an additive in Hwang. Hwang teaches that the nitric acid "was added to the aqueous solution associated with each silicon sample to reduce the potential for evaporation of removed metals during analysis of the solution by graphite furnace atomic absorption." (See col. 5, ll. 1-5.) Therefore, the Applicant believes that claim 7 is allowable over Hwang.

Further, claims 8-17 which depend on claim 7 are allowable because Hwang in combination with McClean, Spak, Ward, nor Kim do not teach or disclose "an additive activating an etching action of the hydrogen peroxide" as found in claims 8-17.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully

requested to pass this application to issue. If the Examiner deems that a telephone conference would help expedite the prosecution of this application, the Examiner is requested to call the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

By 

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